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19 *Attorneys for Plaintiff Owen Diaz*

20 **UNITED STATES DISTRICT COURT**

21 **NORTHERN DISTRICT OF CALIFORNIA**

22 OWEN DIAZ

23 Plaintiff,

24 v.

25 TESLA, INC. dba TESLA MOTORS, INC.

26 Defendant.

Case No. 3:17-cv-06748-WHO

27 **JOINT STIPULATION REGARDING  
REFERENCE TO PLAINTIFF,  
DEMETRIC DI-AZ'S INCARCERATION**

28 Pretrial Conference Date: February 27, 2023  
Time: 2:00 p.m.

Trial Date: March 27, 2023  
Complaint filed: October 16, 2017

1           **TO THE HONORABLE COURT, ALL PARTIES AND THEIR ATTORNEYS OF**  
2           **RECORD:**

3           Pursuant to Civil Local Rule 7-12, Plaintiff Owen Diaz (“Plaintiff”) and Defendant Tesla,  
4 Inc. (“Defendant”), by and through their attorneys of record, hereby submit this Joint Stipulation  
5 in order to prevent the unnecessary use of Court time and resources. Accordingly, the Parties  
6 stipulate as follows:

7           **WHEREAS**, the Parties have conferred regarding numerous evidentiary issues related to  
8 the retrial of this matter and assert that entering this stipulation will save the parties and the  
9 Court time and prevent unnecessary motion practice;

10          **NOW THEREFORE**, it is hereby stipulated by and between Plaintiff and Defendant  
11 that:

12          Subject to the other party opening the door, the parties will not introduce any  
13 evidence or testimony, or make any argument regarding witness Demetric Di-az’s  
14 arrest and subsequent incarceration. This stipulation also precludes testimony  
15 from Owen Diaz, Dr. Anthony Reading, La’Drea Jones, or any other witness that  
16 Demetric Di-az’s criminal conduct, arrest, or incarceration were related to his  
17 work or experience at the Fremont facility or that Demetric Di-az’s arrest and  
18 subsequent incarceration caused Owen Diaz emotional distress related to or  
caused by Tesla.

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20          **IT IS SO STIPULATED.**

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2 CALIFORNIA CIVIL RIGHTS LAW GROUP  
3 ALEXANDER MORRISON & FEHR LLP  
4 ALTSCHULER BERZON

5 DATED: February 17, 2023

6 By: /s/ Lawrence A Organ  
7 Lawrence A. Organ, Esq.  
8 Marqui Hood, Esq.  
9 Cimone A. Nunley, Esq.  
J. Bernard Alexander, Esq.  
Michael Rubin, Esq.  
Jonathan Rosenthal, Esq.  
*Attorneys for Plaintiff Owen Diaz*

10 DATED: February 17, 2023

11 QUINN EMANUEL URQUHART & SULLIVAN, LLP

12 By: /s/ Daniel C. Posner  
13 Alex Spiro, Esq.  
Daniel C. Posner, Esq.  
Mari F. Henderson, Esq.  
Asher Griffin, Esq.  
*Attorneys for Defendant Tesla, Inc.*

## [PROPOSED] ORDER

Based upon the Parties' Stipulation, and good cause having been shown, **IT IS  
HEREBY ORDERED THAT:**

Subject to the other party opening the door, the parties will not introduce any evidence or testimony, or make any argument regarding witness Demetric Di-az's arrest and subsequent incarceration. This stipulation also precludes testimony from Owen Diaz, Dr. Anthony Reading, La'Drea Jones, or any other witness that Demetric Di-az's criminal conduct, arrest, or incarceration were related to his work or experience at the Fremont facility or that Demetric Di-az's arrest and subsequent incarceration caused Owen Diaz emotional distress related to or caused by Tesla.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: \_\_\_\_\_, 2023

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Hon. William H. Orrick